



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,021	07/25/2001	Jean-Louis Bravet	200458US0PCT	5353

22850 7590 08/01/2002

OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

EXAMINER

FERGUSON, LAWRENCE D

ART UNIT	PAPER NUMBER
----------	--------------

1774

DATE MAILED: 08/01/2002

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,021

Applicant(s)

BRAVET ET AL.

Examiner

Lawrence D Ferguson

Art Unit

1774

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections – 35 USC 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. In claim 1, the term “substantially flat product” is indefinite. It is unclear whether or not the product is flat based on the relative ‘substantially’ claim language.

- b. In claim 1, ‘the addition of plastic material’ lacks antecedent basis. The plastic has not been referred to as an addition, especially in claim 12 and is considered indefinite.

- c. In claim 2, the phrase, “it has a core of plastic material” is indefinite. It is unclear whether it is referring to the *substantially flat product* or *overmolded addition of plastic material*. Clarification is requested.

- d. In claim 7, the term, “preferably” is indefinite.

Claim Rejections – 35 USC § 102(b)

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claim 1-8, 12-13 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Endoh et al. (U.S. 4,894,972).

5. Endoh discloses a window assembly comprising a transparent plate member with a frame member made of plastic integrally molded with the peripheral section of the plate member in such a manner (column 1, lines 48-54) where the flat transparent plate member is a plastic plate used as a vehicle window (column 6, lines 19-27). Endoh discloses the plastic ^{film} plate is made of polycarbonate and is hard-coated to improve scratch ^{layer} resistance (column 6, lines 32-34) made by two plastic components that are injected into a mold cavity and mixed together (column 7, lines 38-41). The reference discloses a decorative member made of plastic made of various sizes and thicknesses (column 7, lines 26-60) where the plastic material are thermoplastic (column 8, lines 11-12) and where plastic material contributes to improving weatherability and preventing rain-water penetration (column 8, lines 29-30 and lines 43-45). The reference discloses a skin layer which improves the appearance of the window along with an upper, middle and lower section (column 12, lines 15-24). Figures 1-2, 4-11, 13-17, 19-21 and 23-24

Art Unit: 1774

shows at least part of the addition of plastic material is encapsulated at the periphery of the product, meeting the limitations of claims 2 and 3.

Claim Rejections – 35 USC § 103(a)

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 3, 9-11, 13 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endoh et al. (U.S. 4,894,972).

8. Endoh discloses a window assembly comprising a transparent plate member with a frame member made of plastic integrally molded with the peripheral section of the plate member in such a manner (column 1, lines 48-54) where the flat transparent plate member is a plastic plate used as a vehicle window (column 6, lines 19-27). Endoh discloses the plastic plate is made of polycarbonate and is hard-coated to improve scratch resistance (column 6, lines 32-34) made by two plastic components that are injected into a mold cavity and mixed together (column 7, lines 38-41). The reference discloses a decorative member made of plastic made of various sizes and thicknesses (column 7, lines 26-60) where the plastic material are thermoplastic (column 8, lines 11-12) and where plastic material contributes to improving weatherability and preventing rain-water penetration (column 8, lines 29-30 and lines 43-45). Endoh discloses coating

Art Unit: 1774

the plate with a heat reflecting film (column 6, lines 28-29) which is antireflective at different wavelengths and the coating can be applied in a way which is formed as a stack of layers. The reference discloses a skin layer, which improves the appearance of the window along with an upper, middle and lower section (column 12, lines 15-24). The reference does not explicitly disclose that the skin comprises an electrically conductive network. It would have been obvious to one of ordinary skill in the art to include this feature because Endoh discloses a metallic mold (column 8, line 59) which is the basis for an electrical conductive network. Figures 1-2, 4-11, 13-17, 19-21 and 23-24 shows at least part of the addition of plastic material is encapsulated at the periphery of the product, meeting the limitations of claims 2 and 3.

Claim Rejections – 35 USC § 102(b)

9. Claims 1-3, 5, 12 and 18 are rejected under 35 U.S.C. ^{102 b}~~103(a)~~ as being anticipated by Raymond et al. (U.S. 5,419,088).

10. Raymond discloses a plastic material glass for an automotive vehicle (claim 1) where the thermoplastic base is coated with a scratch resistant coating (column 6, lines 49-69). Raymond discloses the layer is encapsulated at a peripheral area of said glass by a thermoplastic overmolding (column 7, lines 50-59). The reference discloses the thermoplastic glazing material is made out of polycarbonate (claim 2) where the sheet is thermoformed (column 13, lines 51-52).

Art Unit: 1774

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is (703) 305-9978. The examiner can normally be reached on Monday through Friday 8:30 AM – 4:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (703) 308-0449. Please allow the examiner twenty-four hours to return your call.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for regular communications and (703) 872-9311 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2351.



Lawrence D. Ferguson
Examiner
Art Unit 1774

CYNTHIA H. KELLY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

